

FIRST REGULAR SESSION

# SENATE BILL NO. 162

93RD GENERAL ASSEMBLY

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INTRODUCED BY SENATOR GROSS.

Read 1st time January 11, 2005, and ordered printed.

TERRY L. SPIELER, Secretary.

0259S.01I

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## AN ACT

To repeal sections 192.400, 192.410, and 192.420, RSMo, and to enact in lieu thereof three new sections relating to radiation control.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 192.400, 192.410, and 192.420, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 192.400, 192.410, and 192.420, to read as follows:

192.400. The following words and terms as used in sections 192.400 to 192.490 mean:

(1) ["Committee on radiation control", a subcommittee of the Missouri atomic energy commission;

(2)] "Radiation", any or all of the following forms of ionizing radiation: gamma and X rays, alpha and beta particles, high speed electrons, neutrons, protons and other nuclear or atomic particles or rays, and other radiant energies including, by way of extension but not of limitation, radium, strontium 90, cesium 137 and cobalt 60, but radiation as herein defined does not include sound or radio waves or visible, infrared or ultraviolet light;

[(3)] (2) "Radiation machine", any device that produces radiation;

[(4)] (3) "Unnecessary radiation", the use of radiation as herein defined in such a manner as to be hazardous to the health of the people or the industrial or agricultural potentials of the state.

192.410. The department of health and senior services[, with the guidance and advice of the committee on radiation,] shall:

(1) Develop comprehensive policies and programs for the evaluation and determination of hazards associated with the use of radiation and for their

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

abatement or elimination;

(2) Employ, and, if necessary, train the personnel needed to carry out the provisions of sections 192.400 to 192.490;

(3) Advise, consult and cooperate with other agencies of this state, the federal government, other states, and interstate agencies, and with affected groups, political subdivisions and industries in furtherance of the purposes of sections 192.400 to 192.490;

(4) Accept and administer loans, grants or other funds or gifts from the federal government and from other sources, public or private, for carrying out any of its functions;

(5) Encourage, participate in or conduct studies, investigations, training, research and demonstrations relating to the control of radiation hazards, the measurement of radiation, the effects on health of exposure to radiation and related problems as it may deem necessary or advisable for the discharge of its duties under sections 192.400 to 192.490 or for the protection of public health;

(6) Collect and disseminate information relating to the determination and control of radiation exposure and hazards;

(7) Review and approve plans and specifications for radiation sources submitted pursuant to rules and regulations promulgated under sections 192.400 to 192.490;

(8) Inspect radiation sources, their shielding and immediate surroundings and records for the determination of any possible radiation hazard and may examine any records or memoranda pertaining to the question of radiation machines and the use of radioactive materials.

192.420. The department of health and senior services shall administer sections 192.400 to 192.490 and may[, with the approval of the committee on radiation control,] formulate and promulgate rules on radiation, including registration of radiation sources and machines, as may be necessary to prohibit and prevent unnecessary radiation. Rules shall be promulgated pursuant to the provisions of this section and chapter 536, RSMo. No rule or portion of a rule promulgated under the authority of sections 192.400 to 192.490 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.